

# AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT /

LEASE

1. CONTRACT ID CODE N/A		PAGE OF PAGES 1   2	
2. AMENDMENT/MODIFICATION NO. A002	3. EFFECTIVE DATE 6-12-87	4. REQUISITION/PURCHASE REQ. NO. N/A	5. PROJECT NO. (If applicable) N/A
6. ISSUED BY CODE		7. ADMINISTERED BY (If other than Item 6) CODE	

U. S. Department of Energy  
Post Office Box 2567  
Grand Junction, CO 81502

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

Todilto Exploration & Development Corp.  
3810 Academy Parkway South N.E.  
Albuquerque, NM 87109

9A. AMENDMENT OF SOLICITATION NO.
9B. DATED (SEE ITEM 11)
10A. MODIFICATION OF CONTRACT/ORDER NO. / Lease AT(05-1)-ML-60.8-NM-B-1
10B. DATED (SEE ITEM 13) 6-12-74

CODE FACILITY CODE

## 11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.  
Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:  
(a) By completing Items 8 and 15, and returning \_\_\_\_\_ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

N/A

## 13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

V	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation data, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
X	Section 67 of the Atomic Energy Act of 1954
	D. OTHER (Specify type of modification and authority)

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 3 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

First: All references on this document to "Contract" or "Order" shall mean "Lease". All references to "Contractor" shall mean "Lessee".

Second: Article VI entitled "Minimum Royalty" is hereby revised to read as follows:

"VI. MINIMUM ROYALTY. In addition to the first year's minimum royalty paid with the Lessee's bid, there shall become due and payable to the Commission at the beginning of each of the second and third lease

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

13A. NAME AND TITLE OF SIGNER (Type or print) George Warnock, President		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Robert E. Ivey	
13B. CONTRACTOR/OFFEROR (Signature of person authorized to sign)	13C. DATE SIGNED 7-8-87	16B. UNITED STATES OF AMERICA BY (Signature of Contracting Officer)	16C. DATE SIGNED 7/24/87

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MODIFICATION NO. A002

years a minimum royalty of \$4,000.00. At the beginning of each lease year thereafter, including lease years in the term of any extension of this lease, there shall become due and payable to the Commission a minimum royalty of \$10,000.00, provided, that, upon a written application by the Lessee showing to the satisfaction of the Contracting Officer that the market for ores from the lands covered by this lease will probably be inadequate to justify operations under the lease during the ensuing lease year, the Contracting Officer in his sole discretion may, by written notice to the Lessee, forgive the payment of the minimum royalty for such lease year, but he may do so only if, as of the beginning of the lease year in question, the total amount of all minimum royalties theretofore paid by the Lessee hereunder exceeds by at least \$32,000.00 the total amount of all base royalties paid by the Lessee hereunder during the previous three years. Such written application shall be submitted to the Contracting Officer not less than thirty (30) calendar days prior to the beginning of the lease year with respect to which it is made. Minimum royalties paid pursuant to this article shall be credited against base royalties and royalty bid payments which become payable during the term of this lease or any extension thereof. Minimum royalties so paid shall not be refunded upon the surrender, cancellation, expiration, or other termination of this lease."

Third: Article II entitled "Term" is hereby revised to read as follows:

"II. TERM. This lease agreement shall remain in effect for a period of ten (10) years from the date of its execution, except as it may be sooner relinquished or canceled pursuant to other provisions of this agreement. However, this agreement may be further extended for additional periods not to exceed ten (10) years each, based on a determination for each extension by the Contracting Officer pursuant to 10 Code of Federal Regulations (C.F.R.) Part 760.1 (u) that such extension is in the best interest of the Government. No extension shall be granted if the Contracting Officer determines that the Lessee is in default of one or more of the terms and conditions of the lease or that the lease should be re-issued through competitive bidding pursuant to 10 C.F.R. Part 760.1(d)."

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